

City of LaVerkin

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LaVerkin City Council Meeting Minutes

Wednesday, July 17, 2013 6:00 p.m.

Council Chambers, 111 S. Main, LaVerkin, Utah

Present: Mayor Karl Wilson; Council-Members: Randy Reeve, Richard Hirschi, Phil Jensen, and Ray Justice; Staff: Derek Imlay, Troylinn Benson, Kevin Bennett, Chief Lloyd Watkins, and Christy Ballard; Public: Chief Tom Kuhlmann, John and Rose Valenti, Ann Wixom and family, Ken Hooten, Bonita and James Sutton, and several boy scouts and leader.

Councilman Randy Reeve is present via telephonic participation.

Councilman Brandon Stephenson has been excused.

A. Called to Order – Invocation and Pledge of Allegiance by Ken Hooten at 6:01pm.

B. Recognitions:

Mayor Wilson thanked Ann Wixom for chairing the July 4th Committee. The volunteers did a very good job this year. It is nice that La Verkin is able to celebrate this holiday the way our founding fathers intended it to be celebrated.

Ann was presented with a certificate of appreciation.

C. Consent Agenda: (Items on the consent agenda may not require discussion. These items will be a single motion unless removed at the request of the Mayor or City Council.)

1. Declarations of conflict of interest
2. Agenda
3. June 19, 2013 regular meeting minutes
4. Review Invoices and Checks: \$164,516.12

Motion was made by Councilman Phil Jensen to approve the consent agenda as written including the June 19, 2013 meeting minutes and checks and invoices in the amount of \$164,516.12, second by Councilman Ray Justice. Roll Call Vote: Reeve-yes, Hirschi-yes, Jensen-yes, Justice-yes. Motion carried unanimously.

D. Committee Reports:

1. Planning Commission – Kevin reported on a presentation given by Interstate Rock. It was a discussion on what Interstate Rock would like to see happen with their property located on the North end of town with zoning.
Richard reported that the final draft of the animal ordinance was presented and a public hearing was set for the next meeting.
2. Water Board – The Water Board has not met. Mayor Wilson gave his report on water. The irrigation has been off because the River is full of what is called Long Valley mud.
There have been very few complaints so far.
3. Sewer Board-Blair was not present to report.
4. Fire District-Chief Kuhlmann reported that there have been very few fires lately because of the rain. The man made fires have been lower this year as well. They are still in the process of changing vehicles over. The next one will be the tender that resides in La Verkin. It will be changed from a water supply tender to a potable water tender and will be finished in the next 2-3 weeks.

They are still working toward recruitment and training starting this fall.

E. Citizen Comment & Request for Future Agenda Items:

No comments were made.

Mayor Wilson recognized Scout Troop 355. They are attending the meeting to earn the Citizenship in the Community merit badge.

F. Business:

1. Discussion and possible action to approve Ordinance No. 2013-06; An ordinance updating and adopting La Verkin City building related codes.

Kevin explained this is something done periodically to make sure we are consistent with what the State has. There were several changes made and we added the Wildlife Urban Interface Code Chief Kuhlmann had discussed at a previous meeting. This code will not be applied to any specific area yet. There will need to be a study done similar to the Hillside Ordinance before that can happen. This is just the beginning portion of the code.

Chief Kuhlmann said that if this passes he would like direction from the Council after he meets with the representative from State Forestry Fires and State Land for this portion of the State to go over which areas they would recommend be covered by this code.

This will help change the State Suppression Fund which is something Chief Kuhlmann would like to see happen in January to help minimize the potential fiscal risk.

Councilman Hirschi asked if this would help with situations such as the "L fire" we had a few years ago.

Chief Kuhlmann replied that is the intent. The intent is to incorporate those areas so when there is a fire it can be put out and then worry about who is going to pay. The idea is that the Fire District would have a budget line for Wild Land Suppression, once that amount has been exceeded the fund would kick in to help offset the cost.

Motion was made by Councilman Richard Hirschi to approve Ordinance No. 2013-06 as written, second by Councilman Phil Jensen. Roll Call Vote: Justice-yes, Jensen-yes, Hirschi-yes, and Reeve-yes. Motion carried unanimously.

2. Discussion and possible action to approve Ordinance No. 2013-07; An ordinance providing mayoral authority to cancel unneeded city council meetings.

Mayor Wilson explained that most cities have the option of canceling a meeting a few days prior if there is nothing for the agenda.

Kevin reported that this ordinance gives the freedom to cancel and/or reschedule a city council meeting for any reason as long as there is still one meeting a month which State Statute requires.

Motion was made by Councilman Ray Justice to approve Ordinance No. 2013-07 as written, second by Councilman Richard Hirschi. Roll Call Vote: Reeve-yes, Hirschi-yes, Jensen-yes, and Justice-yes. Motion carried unanimously.

3. Discussion and possible action to approve Ordinance No. 2013-08; An ordinance updating La Verkin City criminal law and procedure 2013.

Kevin explained that this is done each year at the beginning of the fiscal year. He researches any changes made to criminal law and procedures in the State and updates our code with this Ordinance.

Motion was made by Councilman Ray Justice to approve Ordinance No. 2013-08 as written, second by Councilman Phil Jensen. Roll Call Vote: Justice-yes, Jensen-yes, Hirschi-yes, and Reeve-yes. Motion carried unanimously.

Mayor Wilson pointed out that there are four new ordinances in this meeting and thanked Kevin for doing those. This is the reason we need an attorney on staff.

4. Discussion and possible action to approve Ordinance No. 2013-09; An ordinance regulating the cleanliness, safety, and sanitary conditions in transient lodging facilities.

Kevin reported that during a staff meeting this idea was brought up. With the hotel getting closer to being complete and the other businesses coming in we would like to preserve the value of the facilities.

After checking ordinances of other cities as well as the Health Department, he found things he liked and things he did not like. The State does have regulations but staff didn't want to turn everything over to the State because often times they don't step in until the problem is farther along than we would like it to be. This ordinance incorporates the rules of the State that work for us and adopts them into our Code making them an infraction that we can enforce if the State doesn't take care of it in a timely manner. It also adds in other provisions that the State doesn't address at all. It also addresses the issue of people staying longer than 30 days. The general rule is 30 days but it is not a hard fast rule. One exception to the rule would be for someone who is staying longer for work related purposes.

Councilman Justice said working in the hotel business he was very interested in reading the State Code. He likes the majority of it and can live with the items he questioned because they are listed in the State Code.

He was on the Planning Commission when the 1% Transient Room Tax was implemented. He realized then that at one point there would be a hotel here to help provide money for the City to run on. He particularly likes the idea of being able to collect that tax on people who are here longer than the 30 days. He also believes in keeping any hotel to high standards.

His only question was for Chief Watkins. Is he okay with the way this ordinance is written.

Chief replied that he agrees that La Verkin does need to hold hotels to high standards. This ordinance helps hold the owners accountable by allowing the City to step in if the State fails to do so.

Mayor Wilson pointed out that under current code the hotel would have to re-permit before they could turn into an extended stay facility.

Councilman Hirschi asked if this would allow the City to do inspections.

Kevin answered that the Fire Code allows that.

Chief Watkins said that the police would have to get a warrant to see the list of guests or to enter a specific room.

The Health Department would handle complaints about room cleanliness.

Motion was made by Councilman Ray Justice to approve Ordinance No. 2013-09 as written, second by Councilman Richard Hirschi. Roll Call Vote: Justice-yes, Jensen-yes, Hirschi-yes, and Reeve-yes. Motion carried unanimously.

5. Discussion and possible action to approve memorandum of understanding with the Hurricane Valley Fire District with regard to the construction and funding of a memorial park in the Riverwood Park.

Kevin clarified the agreement is actually with the foundation that was set up by the Fire District, not the District itself. He also explained that the Home Owners Association needs to be consulted for this project because that was one of the conditions when the park property was purchased.

Motion was made by Councilman Richard Hirschi to adopt the Memorandum of Understanding with the Hurricane Valley Foundation, second by Councilman Randy Reeve. Motion carried unanimously.

G. Staff, Mayor & Council Reports:

City Administrator- Kyle Gubler

Kyle passed out a copy of his report.

He thanked Ann and Derek & crew for all the time put in for the July 4th celebration.

132 business license surveys were sent out. Several have been sent back already, the deadline is July 20th.

Crescent Park is moving forward. Kyle will post some pictures of the project on the website.

The Washington County Economic Development had Jeremy Aguero give a presentation on the water stability in Washington County. He spoke about the relationship between water stability and Economic Development.

Mayor Wilson said that Mr. Aguero's power point presentation, along with any other presentation given to the SURPAC Committee is available to view on the Districts website under information and then SURPAC.

Kyle reported that he has contacted Chamberlain and Associates to be the Bond Counsel for the CIB Silver Acres Project.

Absentee ballots have been sent out.

Meet the Candidates Night will be July 31st at 6pm.

The vacation report has been included in his report for the Councilmembers review.

The dates for League of Cities and Towns are Sept. 11-13. If anyone is interested in going please let Kyle or the Mayor know by July 31st.

Public Safety- Chief Lloyd Watkins

Chief Watkins passed out the June Stat Report.

It has been very busy. On July 4th Hurricane only had 10 more calls than we did.

The Police Department has officially moved to the 111 South Main. Christy will still be up at the main office to take GRAMA requests and give out reports.

Kate Wadsworth has been hired to be the new animal control officer. She has been doing an excellent job and has already been out patrolling.

Director of Operations-Derek Imlay

The Water Meter Grant has been going almost two months and 166 meters have been installed.

When this project is complete Pheasant Glen will be the only part of town that will still have manual read meters.

There was a break in the 10 inch line that runs through the cemetery road leaving Zion View Estates with low pressure. They still have water; it's just the pressure that is low. Derek is hoping to have that fixed by lunchtime tomorrow.

Mayor Wilson reported that the last report had the slippage down to 19% for the year. During this project a couple of meters that were not reading at all have been replaced. Replacing the old meters will help with reaching our goal of 10% slippage.

The City needs to continue to address the slippage issue.

Derek reported that this project has greatly reduced the man hours required to read the meters. There have been a lot of after hour calls in the last few weeks. Most of them have been culinary.

Treasurer-Troylinn Benson

There 14 shut offs yesterday. That number seems to be going down. Four of those are still off, three are vacant.

The audit is scheduled for the first of September.

Mayor Wilson:

Councilman Justice will report on Confluence Park.

HCAC meets next week and the other items have been reported on.

Jensen: Nothing to report but he wanted to compliment the Water Department for their quick response time on an issue his neighbor had.

Justice: ZC3 meeting was held today, they are working on the Zion Scenic By-Way interpretive plan.

There was also a brief discussion on the Recreation Plan and Policy Coordination.

Confluence Park meeting was also today. The Virgin River Program is having their annual calendar photo contest right now. If anyone is interested see their website. There will be a La Verkin Stake service project this weekend at Confluence Park. They will be putting in drip irrigation for the trees that were planted at the Ribbon Cutting Ceremony.

The July 4th celebration was great, he thanked Ann Wixom and all the volunteers who helped with that. He also wanted to thank the small staff that the City of La Verkin has for all the work they do.

Hirschi: Nothing to report.

Reeve: Thanked Ann Wixom and her Committee for all of the work they did for the July 4th celebration. He also thanked Derek and Kyle Lovelady for all that they did as well.

Motion was made by Councilman Ray Justice to adjourn to an executive session to discuss a potential litigation-located at 111 S. Main after a five minute break, second by Councilman Richard Hirschi. Motion carried unanimously at 7:21pm.

Reconvened to regular meeting at 8:23pm.

Adjourn:

Motion was made by Councilman Ray Justice to adjourn, second by Councilman Phil Jensen.

Motion carried unanimously at 8:23pm.

Minutes were taken on behalf of the City Recorder by Christy Ballard.

August 7, 2013
Date Approved

ATTEST:

Kyle Gubler
Kyle Gubler
City Recorder

Karl Wilson
Mayor, Karl Wilson

